

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Before the Board of Patent Appeals and Interferences**

Applicant : Barry Lynn Royer

Serial No. : 09/817,322

Filed : March 26, 2001

For : A SYSTEM AND USER INTERFACE SUPPORTING  
PROCESSING AND ACTIVITY MANAGEMENT FOR  
CONCURRENTLY OPERATING APPLICATIONS

Examiner : Van H. Nguyen

Art Unit : 2194

**SUPPLEMENTARY APPEAL BRIEF ACCOMPANYING REQUEST FOR****REINSTATEMENT OF APPEAL**

May It Please The Honorable Board:

This is a request to reinstate the Appeal in the above identified application including a supplementary Appeal Brief addressing the arguments cited by the Examiner in a non-final office action dated March 20, 2006 to an Appeal Brief filed on August 1, 2006. The Appeal Brief was in response to a Final Rejection, dated, March 6, 2006, of Claims 1 - 24 of the above-identified application. As stated in the present action and MPEP 1204.01, "the previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal." Thus Applicant submits that no additional fee is due. Enclosed is a single copy of this Brief.

Please charge any additional fee for extension of time or credit any overpayment to Deposit Account 19-2179.

Appellants do not request an oral hearing.

### I. REAL PARTY IN INTEREST

The real party in interest of Application Serial No. 09/817,322 is the Assignee of record:

Siemens Medical Solutions Health Services Corporation  
51 Valley Stream Parkway  
Malvern, PA 19355-1406

### II. RELATED APPEALS AND INTERFERENCES

The following is a list of related patent applications including their serial number and corresponding US Patent Numbers. Each of the listed U.S. Patents derive priority from the same Provisional Application having Serial No. 60/261,148.

Application serial number 09/817,324 was issued on 11/08/2006 and is now U.S. Patent No. 7,143,437. Application serial number 09/817,320 was issued on 10/24/2006 and is now U.S. Patent No. 7,127,608. Application serial number 09/817,323 was issued on 10/24/2006 and is now U.S. Patent No. 7,127,609. Application serial number 09/817,311 was issued 5/09/2006 and is now U.S. Patent No. 7,043,752. Application serial number 09/817,321 was issued on 9/05/2006 and is now U.S. Patent No. 7,103,666.

### III. STATUS OF THE CLAIMS

Claims 1 - 24 are rejected and the rejection of claims 1 – 24 are appealed.

### IV. STATUS OF AMENDMENTS

No amendments were made after final rejection and all previous amendments were entered and are reflected in the claims included in Appendix I.

### V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 provides a system for use in a first application, concurrently operating together with a plurality of network compatible applications (page 4, lines 18-20; page 5, lines 15-18; Figure 2, 200, 230, 250). An entitlement processor enables user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information (page 5, lines 30-36; Figure 2, 200, 220). A

communication processor is employed by the first application of the plurality of concurrently operating applications for intermittently communicating an activity indication to a managing application within a timeout window (page 5, lines 21-27; Figure 2, 200, 222, 224, 230, 250; Figure 5, 513). The activity indication is generated in response to user action and is communicated sufficiently often to prevent an inactivity timeout of the first application being initiated during normal operation of the first application by the managing application in response to the timeout window being exceeded (page 5, lines 21-27; page 7, lines 14-20; page 15, lines 34-36; page 16, lines 30-32; Figure 2, 200, 222, 224, 230, 250; Figure 5, 513; Figure 12, 583).

Dependent claim 2 includes the features of independent claim 1 along with the additional feature that the intermittently communicated activity indication prevents an inactivity timeout of the plurality of concurrently operating applications of a particular user initiated session (page 5, lines 24-27; Figure 2, 200, 230, 250).

Dependent claim 3 includes the features of independent claim 1 along with the additional feature that the communication processor stores a plurality of activity indications and sends the plurality of activity indications as a batch to the managing application (page 15, lines 17-22; FIG 11).

Dependent claim 4 includes the features of independent claim 1 along with the additional feature that the normal operation comprises application operation exclusive of abnormal operation comprising an application failure condition (page 15, lines 12-16; Figure 2, 230, 247, 250; Figure 11, 460). The user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity (page 15, lines 19-22).

Dependent claim 5 includes the features of independent claim 1 along with the additional feature that the first application and the managing application reside in the same PC (page 4, lines 7-9; Figure 2, 220, 230). The activity indication notifies the managing application of activity by the first application and includes one or more of, (a) a session identifier for identifying a particular user initiated session (page 5, lines 28-29; Figure 2, 200, 230, 250), (b) a URL to be contacted if the activity notification is not successful (page 7, lines 21-26; Figure 2, 200), (c) an identification of a type of event preventing the activity notification from being successful (page 7, lines 7-9; Figure 5, 500, 503, 505, 507, 513, 517).

Dependent claim 6 includes the features of independent claim 1 along with the additional feature that the communication processor intermittently communicates activity

indications to the managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application (page 14, lines 3-8; Figure 9, 900, 903, 911, 913, 917).

Dependent claim 7 includes the features of independent claim 1 along with the additional feature that the communication processor communicates to the managing application a request to receive an activity indication associated with the first application and maintained by the managing application (page 15, lines 24-25; Figure 2, 200, 250). The activity indication indicates time since the last activity update (page 16, lines 2-5; Figure 2, 233, 250, 280).

Dependent claim 8 includes the features of independent claim 1 along with the additional feature that individual applications of the plurality of concurrently operating applications independently intermittently communicate an activity indication to the managing application (page 2, lines 6-7; Figure 2, 222, 250, 224). The communication processor communicates with a browser application providing a user interface display permitting user entry of identification information for validation by the entitlement processor (page 17, lines 11-13; Figure 3; 310, 313, 315).

Dependent claim 9 includes the features of independent claim 1 along with the additional feature that the communication processor communicates a time-out threshold value comprising the timeout window to the managing application (page 7, lines 14-20; Figure 2, 200, 233, 250).

Independent claim 10 provides a system for use by a managing application supporting concurrent operation of a plurality of Internet compatible applications (page 4, lines 18-20; page 5, lines 15-18; Figure 2, 200, 230, 250). An input processor intermittently receives activity indications from a plurality of concurrently operating applications (page 5, lines 21-24; Figure 2, 200, 222, 224, 230, 250; Figure 5, 513). An individual activity indication is generated in response to user action (page 15, lines 28-36; Figure 2, 230, 247, 250). In response to the received activity indications, an activity monitor updates individual activity status indicators, corresponding to the plurality of concurrently operating applications (page 15, lines 19-36; Figure 2, 250, 280). A comparator compares individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding the time-out threshold and occurring during normal operation of an application (page 15, lines 9-11; page 16, lines 4-7; Figure 2, 230, 250, 247, 237; Figure 11, 460, 463). A communication processor communicates notice of the application time-out event to one

of the plurality of concurrently operating applications (page 15, lines 28-30; Figure 2, 230, 250).

Dependent claim 11 includes the features of independent claim 10, along with the additional feature that the activity indications received by the input processor are provided in response to a user action (page 15, lines 12-16; Figure 2, 230, 250, 247; Figure 11, 460). The user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device and (d) another user initiated PC application operation activity (page 15, lines 19-24):

Dependent claim 12 includes the features of independent claim 10 along with the additional feature that an activity status indicator comprises a time indication identifying when activity of a particular application was last reported (page 16, lines 2-5; Figure 2, 250, 233, 280; Figure 12, 577, 583, 589). The time-out threshold comprises a predetermined time duration (page 7, lines 14-20; page 16, lines 14-17; Figure 2, 200; Figure 12, 577, 583, 589). The managing application determines the particular application to be inactive if the time indication exceeds the time-out threshold (page 15, lines 29-36; Figure 2, 250).

Dependent claim 13 includes the features of independent claim 10 along with the additional feature that the input processor receives activity indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application (page 6, lines 16-18; page 7, lines 26-29; page 14, lines 3-8; Figure 9, 900, 903, 911, 913, 917).

Dependent claim 14 includes the features of independent claim 10 along with the additional feature that the communication processor communicates notice of the application time-out event to applications of the plurality of concurrently operating applications that have previously requested a notification of session termination (page 15, lines 36-37 to page 16, lines 1-7; Figure 2, 250; Figure 12, 573, 583 ).

Dependent claim 15 includes the features of independent claim 10 along with the additional feature that the communication processor communicates notice of the application time-out event in response to at least one condition of, (a) a received command requesting notification and (b) a received communication from an application session having previously produced a time-out event and (c) automatically upon generation of the time-out event (page 14, lines 31 to page 15, line 6; Figure 2, 211, 230, 247, 250, 283).

Dependent claim 17 includes the features of independent claim 10 along with the additional feature that the corresponding time-out threshold values comprise a common timeout period for the plurality of concurrently operating applications (page 7, lines 14-18).

Independent claim 19 provides a system supporting concurrent operation of a plurality of Internet compatible applications (page 4, lines 18-20; page 5, lines 15-18; Figure 2, 200, 230, 250). A browser application provides a user interface display permitting user entry of identification information and commands for a plurality of Internet compatible applications (page 16, lines 36-37; Figure 3; 310, 313, 315). A managing application receives activity indications from a plurality of concurrently operating applications (page 5, lines 21-27; Figure 2, 200, 230). An individual activity indication is generated in response to user action (page 15, lines 28-36; Figure 2, 230, 247, 250). The plurality of concurrently operating applications is initiated by user commands via the browser user interface (page 17, lines 12-16). The received activity indications are provided by individual applications sufficiently frequently to prevent an inactivity timeout of the individual applications and during normal operation of an individual application (page 5, lines 21-24; page 7, lines 14-20; page 15, lines 34-36; page 16, lines 30-32, lines 8-9; Figure 2, 200, 222, 224, 230, 233, 250; Figure 5, 513; Figure 12, 583).

Dependent claim 20 includes the features of independent claim 19 along with the additional feature that the activity indication notification includes one or more of, (a) an identification of a particular user initiated session (page 5, lines 28-29; Figure 2, 200, 230, 250) (b) a URL to be contacted if said activity notification is not successful (page 7, lines 21-26; Figure 2, 200), (c) an identification of a type of event preventing said activity notification from being successful (page 7, lines 7-9; Figure 5, 500, 503, 505, 507, 513, 517).

Independent claim 22 provides a method in a system supporting concurrent operation of a plurality of network compatible applications (page 4, lines 18-20; page 5, lines 15-18; Figure 2, 200, 230, 250). Activity indications are intermittently received from a plurality of concurrently operating applications (page 5, lines 21-24; Figure 2, 200, 230). An individual activity indication is generated in response to user action (page 15, lines 28-36; Figure 2, 230, 247, 250). Individual activity status indicators, corresponding to said plurality of concurrently operating applications, are updated in response to said received activity indications (page 15, lines 19-36; Figure 2, 250, 280). Individual activity status indicators are compared with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding the time-out threshold and occurring during normal operation of an application (page 15, lines 9-11; page 16, lines

4-7; Figure 2, 230, 250, 247, 237; Figure 11, 460, 463). Notice of the application time-out event is communicated to one of the plurality of concurrently operating applications (page 15, lines 28-30; Figure 2, 230, 250).

Independent claim 23 provides a method employed by a first application operating in a system supporting concurrent operation of a plurality of network compatible applications (page 4, lines 18-20; page 5, lines 15-18; Figure 2, 200, 230, 250). User access to a first application of a plurality of concurrently operating applications is enabled in response to validation of user identification information (page 5, lines 30-36; Figure 2, 200, 220). Intermittent communication by the first application of an activity indication to a managing application within a timeout window is supported (page 5, lines 21-24; Figure 2, 200, 222, 224, 230, 250; Figure 5, 513). The activity indication notification is generated in response to user action and is communicated sufficiently often to prevent an inactivity timeout of the first application being initiated during normal operation of the first application by the managing application in response to the timeout window being exceeded (page 5, lines 21-24; page 7, lines 14-20; page 15, lines 34-36; page 16, lines 30-32; Figure 2, 200, 222, 224, 230, 250; Figure 5, 513; Figure 12, 583).

Independent claim 24 provides a method in a system supporting concurrent operation of a plurality of network compatible applications (page 4, lines 18-20; page 5, lines 15-18; Figure 2, 200, 230, 250). Activity indications are intermittently received from a plurality of concurrently operating applications of a particular operating session of a user (page 5, lines 21-24; Figure 2, 200, 222, 224, 230, 250; Figure 5, 513). An individual activity indication is generated in response to user action (page 15, lines 28-36; Figure 2, 230, 247, 250). A single activity status indicator associated with the plurality of concurrently operating applications of the particular operating session is updated in response to the received activity indications (page 15, lines 20-24; Figure 2, 250, 280). The single activity status indicator is compared with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application (page 7, lines 14-20; Figure 2, 230, 237, 247, 250; Figure 11, 460, 463). The plurality of concurrently operating applications is re-initialized in response to the comparison (page 16, line 35 to page 17, line 7; Figure 2, 230, 250, 259, 215, 237).

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 1 – 24 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 – 14 of U.S. Patent No. 7,043,752 and over claims 1 – 24 of U.S. Patent No. 7,103,666.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (U.S. Patent No. 6,178,511) in view of Zhao (U.S. Patent No. 6,035,404).

## **VII. ARGUMENT**

Applicant respectfully submits that the claims in the present application are patentable distinct from Claims 1 – 14 in U.S. Patent No 7,043,752 and claims 1 – 24 in U.S. Patent No. 7,103,666. Additionally, Cohen when taken alone or in combination with Zhao does not make the present claimed invention unpatentable. Thus, reversal of the Final Rejection (hereinafter termed “rejection”) of claims 1-24 under 35 U.S.C. § 103(a) is respectfully requested.

Additionally the Examiner identified that the cross reference related to the application cited in the specification must be updated. Applicant respectfully submits that the specification will be formally amended to correct this defect upon final disposition of the Appeal.

### **Nonstatutory Obviousness-type Double Patenting**

#### **Rejection of Claims 1-24 In view of**

#### **U.S. Patent No. 7,043,752 and U.S. Patent No. 7,103,666**

Reversal of the double patent rejection of claims 1-24 as being non-patentably distinct from claims 1 – 14 of U.S. Patent 7,043,752 and claims 1 – 24 of U.S. Patent 7,103,666 is respectfully requested because the rejection makes crucial errors in interpreting the cited references. The rejection erroneously states that claims 1-24 are not patentably distinct from the claims in the above identified U.S. Patents.

The present claimed system governs a “first application” operating concurrently with other “network compatible applications” whereby the “entitlement processor” enables user access to the “first application” by validating user identification information. The claimed arrangement uses a “communication processor...for intermittently communicating an activity indication to a managing application within a timeout window”. The “activity indication being generated in response to user action and being communicated sufficiently often to prevent inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout

window being executed". U.S. Patent Nos. 7,043,752 and 7,103,666 fail to claim any feature that would obviate the features claimed in claims 1 – 24 of the present invention. Despite the fact that the above patents and the present claimed invention claim systems used by a first application that concurrently operates with other network compatible applications, the claimed arrangement deals with a fundamentally different and unrelated aspect of system operation. Specifically, the present claimed invention provides intermittent communication of an "activity indication" which is "communicated sufficiently often to **prevent an inactivity timeout of said first application**".

Unlike the present claimed system, U.S. Patent No. 7,043,752 provides a system that generates a particular session identifier that is specific to a user which may then be used by other network compatible applications to "uniquely identify said user initiated session". Thus, the claims of the '752 patent deals with a fundamentally different aspect of first application operation. Specifically, the '752 patent is concerned with connection of a user session and the data that is being transmitted between the first application and the other concurrently operating applications by use of an encryption key to encrypt "personal record parameters" while communicating "additional parameters" to a managing application for storage. There is nothing to suggest that prevention of inactivity timeout, as claimed in the present invention, would be deemed an obvious by the '752 patent. Moreover, contrary to the assertion on page 4 of the Rejection, the present claimed system is not broader in scope than the invention claimed in the '752 patent. The present claimed invention provides a specific mechanism to prevent an "inactivity timeout" of a first application. Thus, the claimed invention is not "broader in scope" such as to be able to include the claim features of the '752 patent as they relate to an entirely different aspect of system operation.

Additionally, in similarly fashion to the '752 patent, U.S. Patent No. 7,103,666 also claims an entirely different and unrelated operation of first application in a system that includes concurrently operating network compatible applications. The '666 patent is concerned with communicating a URL which is used to acquire a webpage that supports user access to a plurality of different user applications that each require user logon information. Thus, the '666 patent provides a mechanism for controlling access to different network compatible applications by automatically communicating application specific context to the application resulting in automatic logon to the particular application from the single logon menu. Unlike the present claimed system, the '666 patent neither discloses nor suggests "intermittently communicating an activity indication to a managing application within a timeout window...in response to user action and being communicated sufficiently often to **prevent an inactivity timeout of said first application**". Thus, claims 1 – 24 of the present claimed invention are not "broader in scope" than those contained in the '666

patent because the claimed invention provides a mechanism for preventing an inactivity timeout. There is nothing in the '666 patent that renders the claimed invention obvious. The '666 patent, in claims 19 and 22 provide that the menu generator provides the logon menu "upon a timeout condition arising due to inactivity of said second application". However, this is fundamentally different from the claimed arrangement which prevents the occurrence of a condition, i.e. an inactivity timeout. In fact, the '666 patent performs a specified action, i.e. displaying the logon menu, in response to the very action the claimed arrangement is seeking to prevent.

In view of the above remarks, the present invention as claimed in claims 1 – 24 is patentably distinct from the claims in both U.S. Patent Nos. 7,043,752 and 7,103,666. Consequently, withdrawal of the nonstatutory obviousness-type double patenting rejection is respectfully requested.

#### Overview of the Cited References

Cohen provides a single sign-on (SSO) mechanism enabling a given user to access a target application on a target resource in a distributed computer enterprise. One or more configuration directives each identifying a given logon process and any associated methods required to access the target application on the target resource are stored in a preferably global-accessible database (CIM). For each of a set of users, a preferably global-accessible database (PKM) stores user-specific and application-specific information enabling the user to access and logon to one or more target resources. During a particular session, a logon coordinator (LC) mechanism coordinates given user information with the configuration directive to enable the given user to perform a given action with respect to the target application without specifying the given logon process and the application-specific information (see Abstract).

Zhao provides a system and method for managing user logins to a restricted computer service over a stateless network. Single user and multiple, or concurrent, user accounts can be maintained with this logging system. Users are assigned a data mask and an internal user ID (IUID). During a login attempt, the mask is used to scan a user login map to determine if the login will be permitted. For single users, the login is allowed if a current session is not already in progress, as indicated by the login map. For concurrent users, the login is allowed if the maximum number of concurrent users for the account does not already exist, as indicated by the login map. When a login is not allowed, a current session may be terminated or set to be terminated after a fixed interval of time, thereby allowing the requested login. A state lookup table (SLT) is maintained to temporarily keep

track of each session in progress and includes a session identifier, the IUID, the starting time, and any termination time established for the session (see Abstract).

**Rejection of Claims 1-24 under 35 USC 103(a)**  
**over Cohen et al. (U.S. Patent No. 6,178,511) in view of Zhao**  
**(U.S. Patent No. 6,035,404)**

Reversal of the rejection of claims 1-24 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,178,511 issued to Cohen et al. in view of U.S. Patent 6,035,404 issued to Zhao is respectfully requested because the rejection makes crucial errors in interpreting the cited references. The rejection erroneously states that claims 1-24 are made unpatentable by Cohen in view of Zhao.

In rejecting claims under 35 U.S.C. § 103, it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed.Cir. 1988). In so doing, the Examiner is expected to make the factual determinations set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966), and to provide a reason why one having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion, or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988); *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227 USPQ 657, 664 (Fed.Cir. 1985), *cert. denied*, 475 U.S. 1017 (1986); *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed.Cir. 1984). These showings by the Examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed.Cir. 1992).

**CLAIM 1**

The system of claim 1 includes “a communication processor employed by said first application of said plurality of concurrently operating applications for intermittently communicating an activity indication to a managing application within a timeout window.” The “activity indication” is “communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during **normal operation** of said first application by said managing application in response to said timeout window being exceeded.” Cohen (with Zhao) does not suggest such features. As recognized in the Rejection, Cohen does not teach a system able to prevent “an inactivity timeout of said first application being initiated during **normal operation** of said first application.” Applicant

respectfully submits that the Examiner is incorrect in maintaining on page 8 of the Rejection that Cohen (with Zhao) teaches a system able to “prevent an inactivity timeout of said first application being initiated during **normal operation** of said first application” by a “managing application” in response to a “timeout window being exceeded.”

The Rejection cites column 11, line 35 of Cohen as describing the claimed feature of “intermittently communicating an activity indication to a managing application within a timeout window”. Applicant respectfully disagrees. Rather, the cited section of Cohen is merely concerned with the mechanism governing password changes for a user in a program template file (PTF) which is used for telling a single sign on (SSO) application how to interact with other systems (col. 10, lines 1-8). The SSO of Cohen enables a user to sign into multiple applications using a single logon procedure and the PTF governs program interaction. The cited section provides for a minimum or maximum timeout value to be manually set which will determine how long the “SSO should wait for a function to complete before returning” which is useful to “prevent a hang situation when a running process does not return when expected” (col. 11, lines 40-41 and 49-50). Thus, the user defined value in Cohen is used to prevent the occurrence of an abnormal condition. Moreover, this operation is targeted to changing the password of a user. There is nothing in Cohen, in the cited section or elsewhere, that provides a “first application” which “intermittently communicat[es] an activity indication to a managing application” during normal operation of the first application to “prevent an inactivity timeout” of the first application. Rather, Cohen is only concerned with the operation of the SSO application with respect to other applications to prevent an abnormal system operation. This is fundamentally different from the claimed arrangement.

The rejection correctly identifies that Cohen fails to disclose or suggest the prevention of inactivity timeout and cites Zhao as providing the necessary disclosure to obviate the present claimed system. Specifically, the Rejection cites Figures 7 – 9 and the corresponding description in column 5, line 39 of Zhao as describing the claimed feature. Applicant respectfully disagrees. Zhao (with Cohen), in the cited section or elsewhere, fails to disclose or suggest “a communication processor” employed by a first application for “intermittently communicating an activity indication to a managing application in a timeout window” which is generated “in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded” as recited in claim 1. Rather, Zhao provides a system that is concerned with managing access by multiple users to an account or other applications. Specifically, Zhao provides a system which governs “access control of concurrent or multiple users using the same account or master ID number” (col. 1, lines 7 –

10). As can be seen in Figure 6 and the corresponding description thereof, Zhao merely shows a system that forces the logout of certain users to enable other users that utilize the same account or ID to login to the system. Zhao makes this forced logout determination based on which user has been logged in the longest. Specifically, column 6, lines 22 – 28 of Zhao states “Note also that session 0001002 is set to be limited to a time out of not beyond a specified time, whereas session 0010000 has not been given a time-out time. Forced time-out times can be derived from several circumstances. It can be from the level of access permitted for the individual user, the need to limit a concurrent user’s time to allow for another user to logon, or from other circumstances”. Thus, Zhao, similarly to Cohen, uses a predefined time value to control an action of the application. Zhao uses this to determine and implement a forced logout of a user. There is nothing in Zhao that, when combined with the Cohen system, discloses or suggests intermittent communication of “an activity indication” that “prevent[s] an inactivity timeout of said first application being initiated during normal operation of said first application”. The present claimed system ensures that a default timeout window is not implemented to timeout a user of the first application when the first application is operating normally. Zhao specifies a time that forces a user logout from a system. This is fundamentally different from the claimed arrangement which “intermittently communicat[es]” a signal “sufficiently often” to prevent the user from being timed out due to inactivity.

The Rejection, on page 6 states that it would be obvious to modify the Cohen system with the system disclosed by Zhao to enable users to sign on to a client system one time and enter a password and the SSO framework of Cohen signs onto other applications. Cohen and Zhao each mention a time value causing an application response within the system. However, Cohen’s discussion of maximum and minimum timeout to prevent a hang-up by an SSO application during a change password operation is fundamentally different from the time value applied in Zhao which correlates to a specific user and determines when a forced system logout is to occur. These features are mutually incompatible because the Cohen requires the user to specify the amount of time ensuring that SSO will not hang-up and Zhao uses the specific time value to do exactly the opposite. Zhao causes a forced logout based on the time value specified for the particular user. The Cohen system and the Zhao system both describe user specified values for timeouts. However, the response and actions taken in response to the user specified values are fundamentally different. Cohen specifies a value so the SSO knows not to hang-up and produce an abnormal condition and Zhao uses the value to initiate a forced logout procedure enabling further users to log into the system. In view of this incompatibility, Applicant respectfully submits that it would not be obvious to combine the Cohen system with the Zhao system. Consequently, it is respectfully submitted that there is no motivation

to combine the Cohen system with the Zhao system to produce an operable system, let alone the present claimed invention.

Furthermore, even if Cohen and Zhao were combined to produce an operable system, the result would be a SSO application that has a specified time value for preventing a hang-up situation and which also uses the specified value to force a logout of one of the users that shares a user account or ID. The combined systems of Cohen and Zhao neither disclose or suggest a “first application” of a “plurality of concurrently operating applications for intermittently communicating an **activity** indication” generated “in response to **user action**” to “a managing application” to “prevent an inactivity timeout” of the “first application being initiated during **normal operation** of said first application”. Further, Zhao (with Cohen) fails to show or suggest generation of an “activity indication” in response “to **user action** and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated **during normal operation** of said first application by said managing application in response to said timeout window being exceeded.” Consequently withdrawal of the Rejection of claim 1 under 35 USC 103(a) is respectfully requested.

### CLAIM 2

Dependent claim 2 is considered to be patentable based on its dependence on claim 1. Claim 2 is also considered to be patentable because Cohen with Zhao does not show or suggest use of an “intermittently communicated activity indication” that “prevents an **inactivity** timeout of said plurality of concurrently operating applications of a particular **user initiated session**” (of potentially multiple sessions operating on the computer). As described above Zhao (with Cohen) merely provides a user specified time value governing the operation of a forced logout procedure that enables other users to log into the system using the same credentials as the user who was just forced to logout. There is nothing in Zhao (with Cohen) that utilizes “an activity indication” generated in response to user action during normal operation of a first application to prevent an inactivity timeout of “said plurality of concurrently operating applications”. Rather, any system produced by combining Cohen with Zhao would result in the time value for timeout purposes being user specified and used to either change the user password or to force the logout of the user. There is no suggestion of intermittent communication of an activity indication to “prevent an inactivity timeout of said plurality of concurrently operating applications” as claimed in claim 2. Consequently withdrawal of the Rejection of claim 2 under 35 USC 103(a) is respectfully requested.

### CLAIM 3

Dependent claim 3 is considered to be patentable based on its dependence on claim 1. Claim 3 is also considered to be patentable because Cohen with Zhao does not show or suggest use of a “communication processor” that “stores a plurality of activity indications and sends said plurality of **activity** indications as a **batch** to said managing application” as recited in the present claimed invention.

Contrary to the Rejection statement on page 7, Cohen (with Zhao) in column 6 lines 38-59 does not mention a “batch” mode at all and neither reference alone or together suggests generating an “activity indication” in response “to **user action** and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during **normal** operation”. Rather, this passage of Cohen merely describes a mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the mechanism. Neither reference alone or together provides a 35 USC 112 compliant enabling description or suggestion of such a “batch” mode. Consequently withdrawal of the Rejection of claim 3 under 35 USC 103(a) is respectfully requested.

#### CLAIM 4

Dependent claim 4 is considered to be patentable based on its dependence on claim 1. Claim 4 is also considered to be patentable because Cohen with Zhao does not show or suggest “said normal operation comprises application operation **exclusive of abnormal** operation comprising an application **failure** condition and said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity” as recited in the present claimed invention. As previously explained, the Zhao (with Cohen) system is not related to “**normal operation**” of a first application and is also independent of **user** action. Cohen in column 6 and column 10 or elsewhere with Zhao fails to suggest “intermittently” communicating an “**activity** indication to said managing application in response to a **user action**” at all. Rather, column 10, as cited in the Rejection, describes the interaction of the SSO with given application or sub-systems. Column 6, lines 8-18, cited in the Rejection, merely describes a user’s local logon being authenticated to the authentication service that is integrated with the password storage service. Applicant respectfully submits that contrary to the assertions in the Rejection, these passages and elsewhere make absolutely no mention or even suggestion of “intermittently” communicating an “**activity** indication to said managing application in response to a **user action**” at all. Consequently withdrawal of the Rejection of claim 4 under 35 USC 103(a) is respectfully requested.

#### CLAIM 5

Dependent claim 5 is considered to be patentable based on its dependence on claim 1. Claim 5 is also considered to be patentable because Cohen with Zhao does not show or suggest a system in which the “first application and said managing application reside in the same PC” and “said **activity** indication notifies said managing application of activity by said first application and includes one or more of, (a) a session identifier for identifying a particular user initiated session, (b) a URL to be contacted if said activity notification is not successful, (c) an identification of a type of event preventing said activity notification from being successful”. Cohen (in column 5 line 30 to column 6 line 7 relied on) with Zhao fails to suggest an “activity indication” that “notifies” a “managing application of activity by said first application and includes one or more of, (a) a **session identifier** for identifying a particular user initiated session, (b) a **URL** to be contacted if said activity notification is not successful, (c) an identification of a **type of event** preventing said activity notification from being successful”. Rather, this passage merely describes the user-specific application data included in the personal key manager (PKM). The PKM of Cohen is used by the SSO to log into different applications via a single logon application. The claimed arrangement is concerned with notifying a managing application of the nature of the user activity and provide other information to the managing application for use in managing a user initiated session. Cohen (with Zhao) fail to disclose or suggest this feature. Consequently withdrawal of the Rejection of claim 5 under 35 USC 103(a) is respectfully requested.

#### CLAIM 6

Dependent claim 6 is considered to be patentable based on its dependence on claim 1. Claim 6 is also considered to be patentable because Cohen (in column 5 line 30 to line 40 relied on in the Rejection) with Zhao does not show or suggest a system in which a “communication processor intermittently communicates **activity** indications to said managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application” as recited in the present claimed invention. Rather, this passage describes the user-specific application data contained in the personal key manager, namely the target name, target type, domain/host/application name, user id, and key information. There is no mention or even suggestion in this passage, and elsewhere in Cohen (with Zhao) of any “activity indications,” nor is there any mention or suggestion of a “communication processor” that “intermittently communicates **activity** indications to said managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application” as recited in the present claimed invention. Consequently withdrawal of the Rejection of claim 6 under 35 USC 103(a) is respectfully requested.

CLAIM 7

Dependent claim 7 is considered to be patentable based on its dependence on claim 1. Claim 7 is also considered to be patentable because Cohen with Zhao does not show or suggest a system in which a “communication processor communicates to said managing application a request to receive an **activity** indication associated with said first application and maintained by said managing application, said activity indication indicating time since the last activity update” as recited in claim 7. Cohen with Zhao fails to suggest use of a centralized “managing application” for activity management at all, does not contemplate such a feature and is incapable of user based activity management. Cohen in column 8 lines 45-67 relied on in the Rejection fails to suggest such features and merely describes the method to avoid target passwords from being revealed to a single sign on administrator (or others). Consequently withdrawal of the Rejection of claim 7 under 35 USC 103(a) is respectfully requested.

CLAIM 8

Dependent claim 8 is considered to be patentable based on its dependence on claim 1. Claim 8 is also considered to be patentable because Cohen with Zhao does not show or suggest a system in which “individual applications of said plurality of concurrently operating applications independently intermittently communicate an **activity** indication to said managing application and said communication processor communicates with a browser application providing a user interface display permitting user entry of identification information for validation by said entitlement processor”. Cohen in columns 6 and 7 and Figure 5 relied on in the Rejection, with Zhao, fails to suggest “**individual applications** of said plurality of concurrently operating applications” that “**independently** intermittently communicate an **activity** indication to said managing application”. Cohen with Zhao also fails to suggest use of a centralized “managing application” for activity management at all. Consequently withdrawal of the Rejection of claim 8 under 35 USC 103(a) is respectfully requested.

CLAIM 9

Dependent claim 9 is considered to be patentable based on its dependence on claim 1. Claim 9 is also considered to be patentable because Cohen with Zhao does not show or suggest a system in which “said communication processor communicates a time-out threshold value comprising said timeout window to said managing application”. Cohen in column 11, with Zhao, fails to suggest a “communication processor” that “communicates a **time-out threshold value** comprising said timeout window to said managing application” for user responsive **activity** management. Column 11 of Cohen (with Zhao) merely describe timeout values that are responsive to application activity and are not at all

concerned with intermittent communication of user activity indication to prevent an inactivity timeout during normal operation of the first application. Cohen (with Zhao) fail to disclose or suggest this feature or capability. Consequently withdrawal of the Rejection of claim 9 under 35 USC 103(a) is respectfully requested.

CLAIMS 10, 16 and 18

Independent claim 10 recites a system for “use by a managing application supporting concurrent operation of a plurality of Internet compatible applications” comprising “an input processor for intermittently receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action; an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications; a comparator for comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications.” These features are not shown or suggested in Cohen with Zhao. Independent claim 10 is considered to be patentable for reasons given in connection with claim 1 and other preceding claims.

Claim 10 is also considered to be patentable because Cohen with Zhao does not show or suggest a system used “by a managing application” involving “intermittently receiving **activity** indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to **user action**” and including an “activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications”. Cohen in column 8 and Figure 5 (or elsewhere), with Zhao, fails to suggest a system used “by a managing application” involving “intermittently receiving activity indications from a plurality of concurrently operating applications” and “an individual activity indication being generated in response to user action” and including an “activity monitor for **updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications”. Cohen with Zhao fails to suggest “a comparator for comparing individual” user responsive “**activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of

concurrently operating applications". Rather, Figure 5 of Cohen, merely describes a screen displaying the systems/applications (targets) the user is able to logon to and the status of the logon process, namely whether the user is logged in to the target or not. There is no indication or even suggestion of activity status indicators, let alone "**activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications" as recited in the present claimed invention.

In Column 8, lines 45-62 of Cohen (with Zhao) merely describes avoiding "target passwords being revealed to SSO administrators (or others)" by encrypting the password field with a master key. This makes absolutely no mention or even suggestion of "**updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications" as recited in the present claimed invention. Further, Cohen is concerned with providing a mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the mechanism. This is wholly unlike the present claimed invention which is concerned with monitoring the activity status of concurrently operating applications for time-out events. Cohen with Zhao fails to disclose or suggest "receiving activity indications...generated in response to user action," **updating individual activity status indicators**" and "**comparing individual activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application."

The Rejection further cites Figures 7 – 9 of Zhao and the corresponding description beginning in column 5 as disclosing the present claimed "comparator" and "activity monitor". Applicant respectfully disagrees. In fact, as described above with respect to claim 1, the cited sections of Zhao merely provide a forced user logout when a specified time value has been reached to enable further user logon with the same credentials. The forced logout of Zhao is performed when a time value associated with a user is compared with the length of time a user has been online or specific user access levels. Unlike the present claimed system, Zhao (with Cohen) fails to take into account "individual activity indication" which is generated in response to user action to "update individual activity status indicators" and comparing the individual status indicators "to identify an application time-out event" which may be communicated to one of the plurality of concurrently operating applications. Zhao (with Cohen) fail to provide a mechanism that operates in a

manner equivalent to the present claimed system. Consequently withdrawal of the Rejection of claim 10 under 35 USC 103(a) is respectfully requested.

Dependent claims 16 and 18 are considered to be patentable based on their dependence on independent claim 10. Therefore, the arguments presented above with respect to claim 10 also apply to claims 16 and 18. Thus, withdrawal of the Rejection of claims 16 and 18 under 35 USC 103(a) is respectfully requested.

#### CLAIM 11

Dependent claim 11 is considered to be patentable based on its dependence on claim 10 and also for the reasons presented above with respect to claim 1. Claim 11 is also considered to be patentable because Cohen with Zhao does not show or suggest “said activity indications received by said input processor are provided in response to user action and said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity” as recited in the present claimed invention. Cohen in column 6 or elsewhere when combined with Zhao fails to suggest communicating an “**activity** indication” “received by said input processor” “in response to a **user action**” at all. Rather, Column 6, lines 8-18, cited in the Rejection, merely describes a user’s local logon being authenticated to the authentication service that is integrated with the password storage service. Applicant respectfully submits that contrary to the assertions in the Rejection, these passages and elsewhere make absolutely no mention or even suggestion of communicating an “**activity** indication” “received by said input processor” “in response to a **user action**” at all. Consequently withdrawal of the Rejection of claim 11 under 35 USC 103(a) is respectfully requested.

#### CLAIM 12

Dependent claim 12 is considered to be patentable based on its dependence on claim 10. Claim 12 is also considered to be patentable because Cohen, in column 11 relied on or elsewhere, with Zhao, does not show or suggest a system in which “an **activity** status indicator comprises a time indication identifying when activity of a particular application was last reported, and said time-out threshold comprises a predetermined time duration and said managing application determines said particular application to be inactive if said time indication exceeds said time-out threshold”. Cohen with Zhao fails to suggest communication of “an activity status indicator” that comprises a “time indication identifying when **activity** of a particular application was **last reported**, and said time-out threshold comprises a predetermined time duration and said managing application determines said particular application to be inactive if said time indication exceeds said time-out threshold”. Column 11, beginning at line 35, merely describes having a minimum

timeout and a maximum time out, indicating the amount of time the SSO should wait for a function to run. There is no mention or even suggestion of a “time indication identifying when **activity** of a particular application was **last reported**,” as recited in the present claimed invention. Cohen with Zhao fail to suggest use of a centralized “managing application” for activity management, nor does Cohen with Zhao describe any ability (or any suggestion) to process user responsive **activity** indications for **individual** executable applications at all. Consequently withdrawal of the Rejection of claim 12 under 35 USC 103(a) is respectfully requested.

#### CLAIM 13

Dependent claim 13 is considered to be patentable based on its dependence on claim 10. Claim 13 is also considered to be patentable because Cohen (in column 5 line 30 to line 40 relied on in the Rejection) with Zhao does not show or suggest a system in which the “input processor receives **activity** indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application” as recited in the present claimed invention. Rather, this passage describes the user-specific application data contained in the personal key manager, namely the target name, target type, domain/host/application name, user id, and key information. There is no mention or even suggestion in this passage, and elsewhere in Cohen (with Zhao) of any “activity indications,” nor is there any mention or suggestion that an “input processor receives **activity** indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application” as recited in the present claimed invention. Consequently withdrawal of the Rejection of claim 13 under 35 USC 103(a) is respectfully requested.

#### CLAIM 14

Dependent claim 14 is considered to be patentable based on its dependence on claim 10. Claim 14 is also considered to be patentable because Cohen in column 6 lines 1-7 relied or elsewhere, with Zhao, does not show or suggest a feature combination in which “said communication processor communicates **notice** of said application time-out event to applications of said plurality of concurrently operating applications that have previously requested a notification of session termination”. Rather, this passage merely describes application specific information, including interfaces needed to perform operations like logon and logoff, timeouts and retry counts and client specific information on how to locate the application interface code. Information including timeouts and retry counts is not

equivalent to **communicating “notice** of said application time-out event to applications of said plurality of concurrently operating applications that have previously requested a notification of session termination”. Cohen with Zhao fail to suggest use of a centralized “managing application” for activity management, nor does Cohen with Zhao describe any ability (or any suggestion) to process user responsive **activity** indications, for **individual** executable applications, at all. Consequently withdrawal of the Rejection of claim 14 under 35 USC 103(a) is respectfully requested.

#### CLAIM 15

Dependent claim 15 is considered to be patentable based on its dependence on claim 10. Claim 15 is also considered to be patentable because Cohen with Zhao does not show or suggest a system in which “said communication processor communicates notice of said application time-out event in response to at least one condition of, (a) a received command requesting notification and (b) a received communication from an application session having previously produced a time-out event and (c) automatically upon generation of said time-out event” as recited in the present claimed invention. Cohen in column 5 line 59 to column 6, line 7 or elsewhere, with Zhao, fails to suggest communication of “**notice** of said application time-out event” resulting from user **inactivity** in “response to at least one condition of, (a) a **received command** requesting notification and (b) a **received communication** from an application session having previously produced a time-out event and (c) **automatically upon generation** of said time-out event” as recited in the present claimed invention. This passage of Cohen merely describes application specific information contained in a second database. The information includes the target type, the default program, specific application information, program preferences and an interface directory. The program preferences including timeouts and retry counts is not equivalent to communicating “**notice** of said application time-out event” resulting from user **inactivity** in “response to at least one condition of, (a) a **received command** requesting notification and (b) a **received communication** from an application session having previously produced a time-out event and (c) **automatically upon generation** of said time-out event” as recited in the present claimed invention. Further, Cohen with Zhao fails to suggest use of a centralized “managing application” for communication of “notice of said application time-out event” based on user inactivity in an application. Consequently withdrawal of the Rejection of claim 15 under 35 USC 103(a) is respectfully requested.

#### CLAIM 17

Dependent claim 17 is considered to be patentable based on its dependence on claim 10. Claim 17 is also considered to be patentable because Cohen with Zhao does not

show or suggest a system in which “said corresponding time-out threshold values comprise a common timeout period for said plurality of concurrently operating applications”. Cohen, in column 11, beginning on line 35, relied on in the rejection or elsewhere, with Zhao, merely describes the inclusion of a minimum amount of time and a maximum amount of time the SSO should wait for a function to complete before returning and fails to suggest a system in which “said corresponding time-out threshold values” comprise a “**common** timeout period for said **plurality of concurrently** operating applications” for use in user responsive **activity** management. Cohen with Zhao fails to suggest use of a centralized “managing application” employing “a common timeout period for said plurality of concurrently operating applications” for executable application **activity** management at all. Consequently withdrawal of the Rejection of claim 17 under 35 USC 103(a) is respectfully requested.

#### CLAIMS 19 and 21

Independent claim 19 recites a system “supporting concurrent operation of a plurality of Internet compatible applications comprising “a browser application providing a user interface display permitting user entry of identification information and commands for a plurality of Internet compatible applications; and a managing application for receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to **user action**, said plurality of concurrently operating applications being initiated by user commands via said browser user interface, said received activity indications being provided by individual applications sufficiently frequently to prevent an inactivity timeout of said individual applications and during **normal operation** of an individual application”. Claim 19 is considered to be patentable for reasons given in connection with claims 1, 4 and 10.

The Zhao (with Cohen) timeout function is **fundamentally different** to the claimed system and comprises a different function employed in a different manner to achieve a different result that addresses a different problem. The forced logout operation described in Zhao responds to a predetermined time value or other value to determine when and if a user should be forced to logout of a system. The predetermined value is independent of actual user activity and may be a security level indicator or length of time that a user is logged in to the system. The Zhao (with Cohen) system is not at all responsive to user action with the first application resulting in an activity indication being generated and communicated sufficient often to prevent an inactivity timeout by a managing application.

Therefore, the Cohen with Zhao system does not suggest an “individual activity application” of a “plurality of concurrently operating applications for receiving **activity** indication” generated “in response to **user action**” to “a managing application” to “prevent

an inactivity timeout” of the “individual application being initiated during **normal operation** of an individual application”. Further, Zhao (with Cohen) fails to show or suggest generation of an “activity indication” in response “to **user commands**...and being provided by individual applications sufficiently frequently to prevent an inactivity timeout of said individual applications and **during normal operation** of an individual application.” Also, since the Zhao (with Cohen) timeout condition is generated by an application **independent** of **user** action, the Cohen with Zhao system is incapable of “monitoring and controlling a duration of a **user** session,” in contrast to the claimed arrangement.

Further, contrary to the assertion in the Rejection, Cohen, in Column 6, line 19 and Figure 5 does not mention an Internet compatible browser at all, but instead mentions a graphical user interface, which is not equivalent. Thus, Applicant respectfully submits that the assertion in the Rejection that “Cohen further teaches a browser application” is incorrect. Consequently withdrawal of the Rejection of claim 19 under 35 USC 103(a) is respectfully requested.

Dependent claim 21 is considered to be patentable based on its dependence on independent claim 19. Therefore, the arguments presented above with respect to claim 19 also apply to claim 21. Thus, withdrawal of the Rejection of claim 21 under 35 USC 103(a) is respectfully requested.

#### CLAIM 20

Dependent claim 20 is considered to be patentable based on its dependence on claim 1. Claim 20 is also considered to be patentable because Cohen with Zhao does not show or suggest a system in which “said **activity** indication notification includes one or more of, (a) an identification of a particular user initiated session, (b) a URL to be contacted if said activity notification is not successful, (c) an identification of a type of event preventing said activity notification from being successful”. Cohen (in column 5 line 30 to column 6 line 7 relied on) with Zhao fails to suggest an “activity indication notification” that “includes one or more of, (a) an identification of a particular user initiated session, (b) a **URL** to be contacted if said activity notification is not successful, (c) an identification of a **type of event** preventing said activity notification from being successful”. Rather, this passage merely describes the user-specific application data included in the personal key manager (PKM). Consequently withdrawal of the Rejection of claim 20 under 35 USC 103(a) is respectfully requested.

#### CLAIM 22

Claim 22 recites a method used in “a system supporting concurrent operation of a plurality of network compatible applications” comprising the activities of “intermittently

receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action; updated individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications; comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and communicating notice of said application time-out event to one of said plurality of concurrently operating applications.” These features are neither shown nor suggested by Cohen with Zhao.

Claim 22 is considered patentable for the reasons presented above with respect to claims 1 and 10. Claim 22 is also considered to be patentable because Cohen with Zhao does not show or suggest a system used “by a managing application” involving “intermittently receiving **activity** indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to **user action**” and including an “activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications”. Cohen in column 8 and Figure 5 (or elsewhere), with Zhao, fails to suggest a system used “by a managing application” involving “intermittently receiving activity indications from a plurality of concurrently operating applications” and “an individual activity indication being generated in response to user action” and including an “activity monitor for **updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications”. Cohen with Zhao fails to suggest “a comparator for comparing individual user responsive “activity status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications”. Rather, Figure 5 of Cohen, merely describes a screen displaying the systems/applications (targets) the user is able to logon to and the status of the logon process, namely whether the user is logged in to the target or not. There is no indication or even suggestion of activity status indicators, let alone “activity status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications” as recited in the present claimed invention.

In Column 8, lines 45-62 of Cohen (with Zhao) merely describes avoiding “target passwords being revealed to SSO administrators (or others)” by encrypting the password field with a master key. This makes absolutely no mention or even suggestion of “**updating individual activity status indicators**,” corresponding to said plurality of concurrently operating applications, in response to said received activity indications” as recited in the present claimed invention. Further, Cohen is concerned with providing a mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the mechanism. This is wholly unlike the present claimed invention which is concerned with monitoring the activity status of concurrently operating applications for time-out events. Cohen with Zhao fails to disclose or suggest “receiving activity indications...generated in response to user action,” “**updating individual activity status indicators**” and “comparing individual **activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application.”

The Rejection further cites Figures 7 – 9 of Zhao and the corresponding description beginning in column 5 as disclosing the present claimed “comparator” and “activity monitor”. Applicant respectfully disagrees. In fact, as described above with respect to claim 1, the cited sections of Zhao merely provide a forced user logout when a specified time value has been reached to enable further user logon with the same credentials. The forced logout of Zhao is performed when a time value associated with a user is compared with the length of time a user has been online or specific user access levels. Unlike the present claimed system, Zhao (with Cohen) fails to take into account “individual activity indication” which is generated in response to user action to “update individual activity status indicators” and comparing the individual status indicators “to identify an application time-out event” which may be communicated to one of the plurality of concurrently operating applications. Zhao (with Cohen) fail to provide a mechanism that operates in a manner equivalent to the present claimed system. Consequently withdrawal of the Rejection of claim 22 under 35 USC 103(a) is respectfully requested.

### CLAIM 23

The method of claim 23 is “employed by a first application operating in a system supporting concurrent operation of a plurality of network compatible applications” and includes the activities of “enabling user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information.” The “activity indication” is “communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during **normal operation** of said

first application by said managing application in response to said timeout window being exceeded.” Cohen (with Zhao), for the reasons presented above with respect to claim 1, fail to disclose or suggest such features.

The Rejection cites column 11, line 35 of Cohen as describing the claimed feature of “intermittently communicating an activity indication to a managing application within a timeout window”. Applicant respectfully disagrees. Rather, the cited section of Cohen is merely concerned with the mechanism governing password changes for a user in a program template file (PTF) which is used for telling a single sign on (SSO) application how to interact with other systems (col. 10, lines 1-8). The SSO of Cohen enables a user to sign into multiple applications using a single logon procedure and the PTF governs program interaction. The cited section provides for a minimum or maximum timeout value to be manually set which will determine how long the “SSO should wait for a function to complete before returning” which is useful to “prevent a hang situation when a running process does not return when expected” (col. 11, lines 40-41 and 49-50). Thus, the user defined value in Cohen is used to prevent the occurrence of an abnormal condition. Moreover, this operation is targeted to changing the password of a user. There is nothing in Cohen, in the cited section or elsewhere, that provides a “first application” which “intermittently communicat[es] an activity indication to a managing application” during normal operation of the first application to “prevent an inactivity timeout” of the first application. Rather, Cohen is only concerned with the operation of the SSO application with respect to other applications to prevent an abnormal system operation. This is fundamentally different from the claimed invention.

The rejection correctly identifies that Cohen fails to disclose or suggest the prevention of inactivity timeout and cites Zhao as providing the necessary disclosure to obviate the present claimed system. Specifically, the Rejection cites Figures 7 – 9 and the corresponding description in column 5, line 39 of Zhao as describing the claimed feature. Applicant respectfully disagrees. Zhao (with Cohen), in the cited section or elsewhere, fails to disclose or suggest “a communication processor” employed by a first application for “intermittently communicating an activity indication to a managing application in a timeout window” which is generated “in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded” as recited in claim 1. Rather, Zhao provides a system that is concerned with managing access by multiple users to an account or other applications. Specifically, Zhao provides a system which governs “access control of concurrent or multiple users using the same account or master ID number” (col. 1, lines 7 – 10). As can be seen in Figure 6 and the corresponding description thereof, Zhao merely

shows a system that forces the logout of certain users to enable other users that utilize the same account or ID to login to the system. Zhao makes this forced logout determination based on which user has been logged in the longest. Specifically, column 6, lines 22 – 28 of Zhao states “Note also that session 0001002 is set to be limited to a time out of not beyond a specified time, whereas session 0010000 has not been given a time-out time. Forced time-out times can be derived from several circumstances. It can be from the level of access permitted for the individual user, the need to limit a concurrent user’s time to allow for another user to logon, or from other circumstances”. Thus, Zhao, similarly to Cohen, uses a predefined time value to control an action of the application. Zhao uses this to determine and implement a forced logout of a user. There is nothing in Zhao that, when combined with the Cohen system, discloses or suggests intermittent communication of “an activity indication” that “prevent[s] an inactivity timeout of said first application being initiated during normal operation of said first application”. The present claimed system ensures that a default timeout window is not implemented to timeout a user of the first application when the first application is operating normally. Zhao specifies a time that forces a user logout from a system. This is fundamentally different from the claimed arrangement which “intermittently communicat[es]” a signal “sufficiently often” to prevent the user from being timed out due to inactivity.

The Rejection, on page 6, states that it would be obvious to modify the Cohen system with the system disclosed by Zhao to enable users to sign on to a client system one time, enter a password and the SSO framework of Cohen signs onto other applications. Cohen and Zhao each mention a time value causing an application response within the system. However, Cohen’s discussion of maximum and minimum timeout to prevent a hang-up by an SSO application during a change password operation is fundamentally different from the time value applied in Zhao which correlates to a specific user and determines when a forced system logout is to occur. These features are mutually incompatible because the Cohen requires the user to specify the amount of time ensuring that SSO will not hang-up and Zhao uses the specify time value to do exactly the opposite. Zhao causes a forced logout based on the time value specified for the particular user. The Cohen system and the Zhao system both describe user specified values for timeouts. However, the response and actions taken in response to the user specified are fundamentally different. Cohen specifies a value so the SSO knows not to hang-up and produce an abnormal condition and Zhao uses the value to initiate a forced logout procedure enabling further users to log into the system. In view of this incompatibility, Applicant respectfully submits that it would not be obvious to combine the Cohen system with the Zhao system. Consequently, it is respectfully submitted that there is no motivation to combine the Cohen system with the Zhao system to produce an operable system, let alone the present claimed invention.

Furthermore, even if Cohen and Zhao were combined to produce a system, the result would be a SSO application that has a specified time value for preventing a hang-up situation and which also uses the specified value to force a logout of one of the users that shares a user account or ID. The combined systems of Cohen and Zhao neither disclose or suggest a “first application” of a “plurality of concurrently operating applications for intermittently communicating an **activity** indication” generated “in response to **user action**” to “a managing application” to “prevent an inactivity timeout” of the “first application being initiated during **normal operation** of said first application”. Further, Zhao (with Cohen) fails to show or suggest generation of an “activity indication” in response “to **user action** and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated **during normal operation** of said first application by said managing application in response to said timeout window being exceeded.” Consequently withdrawal of the Rejection of claim 23 under 35 USC 103(a) is respectfully requested.

#### CLAIM 24

The method of claim 24 is used “in a system supporting concurrent operation of a plurality of network compatible applications” and comprises the activities of “intermittently receiving activity indications from a plurality of concurrently operating applications of a particular operating session of a user, an individual activity indication being generated in response to user action; updating a single activity status indicator associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications; comparing said single activity status indicator with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and re-initializing said plurality of concurrently operating applications in response to said comparison.” Applicant respectfully submits that these features are neither shown nor suggested by Cohen with Zhao. Independent method claim 24 is considered to be patentable for reasons given in connection with claims 1 and 10 and for the reasons presented below.

Claim 24 is also considered to be patentable because Cohen with Zhao does not show or suggest a system used “by a managing application” involving “intermittently receiving **activity** indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to **user action**” and including an “activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications”. Cohen in column 8 and Figure 5 (or elsewhere), with Zhao, fails to suggest a

system used “by a managing application” involving “intermittently receiving activity indications from a plurality of concurrently operating applications” and “an individual activity indication being generated in response to user action” and including an “activity monitor for **updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications”. Cohen with Zhao fails to suggest “a comparator for comparing individual” user responsive “activity status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications”. Rather, Figure 5 of Cohen, merely describes a screen displaying the systems/applications (targets) the user is able to logon to and the status of the logon process, namely whether the user is logged in to the target or not. There is no indication or even suggestion of activity status indicators, let alone “activity status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application; and a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications” as recited in the present claimed invention.

In Column 8, lines 45-62 of Cohen (with Zhao) merely describes avoiding “target passwords being revealed to SSO administrators (or others)” by encrypting the password field with a master key. This makes absolutely no mention or even suggestion of “**updating individual activity status indicators**, corresponding to said plurality of concurrently operating applications, in response to said received activity indications” as recited in the present claimed invention. Further, Cohen is concerned with providing a mechanism for allowing different passwords for different target systems and applications and only requiring the user to remember one password to log into the mechanism. This is wholly unlike the present claimed invention which is concerned with monitoring the activity status of concurrently operating applications for time-out events. Cohen with Zhao fails to disclose or suggest “receiving activity indications...generated in response to user action,” **updating individual activity status indicators**” and “comparing individual **activity** status indicators with **corresponding** time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during **normal operation** of an application.”

The Rejection further cites Figures 7 – 9 of Zhao and the corresponding description beginning in column 5 as disclosing the present claimed “comparator” and “activity monitor”. Applicant respectfully disagrees. In fact, as described above with respect to claim

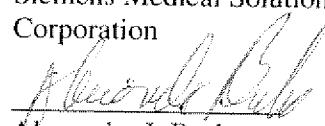
1, the cited sections of Zhao merely provide a forced user logout when a specified time value has been reached to enable further user logon with the same credentials. The forced logout of Zhao is performed when a time value associated with a user is compared with the length of time a user has been online or specific user access levels. Unlike the present claimed system, Zhao (with Cohen) fails to take into account "individual activity indication" which is generated in response to user action to "update individual activity status indicators" and comparing the individual status indicators "to identify an application time-out event" which may be communicated to one of the plurality of concurrently operating applications. Zhao (with Cohen) fail to provide a mechanism that operates in a manner equivalent to the present claimed system. Consequently withdrawal of the Rejection of claim 24 under 35 USC 103(a) is respectfully requested.

### VIII CONCLUSION

Cohen with Zhao, alone or in combination, neither discloses nor suggests an "entitlement processor for enabling user access to a first application of a plurality of currently operating applications in response to validation of user identification," as recited in the present claimed invention. Furthermore, Cohen with Zhao neither discloses nor suggests, "a communication processor employed by said first application of said plurality of concurrently operating applications for intermittently communicating an activity indication to a managing application within a timeout window, said activity indication being generated in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded," as recited in the present claimed invention.

Accordingly it is respectfully submitted that the rejection of Claims 1– 24 should be reversed.

Respectfully submitted,  
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**APPENDIX I - APPEALED CLAIMS**

1. (Previously Presented) A system for use in a first application concurrently operating together with a plurality of network compatible applications, comprising:

an entitlement processor for enabling user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information; and

a communication processor employed by said first application of said plurality of concurrently operating applications for intermittently communicating an activity indication to a managing application within a timeout window, said activity indication being generated in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded.

2. (Previously Presented) A system according to claim 1, wherein  
said intermittently communicated activity indication prevents an inactivity timeout of said plurality of concurrently operating applications of a particular user initiated session.

3. (Original) A system according to claim 1, wherein  
said communication processor stores a plurality of activity indications and sends said plurality of activity indications as a batch to said managing application.

4. (Previously presented) A system according to claim 1, wherein  
said normal operation comprises application operation exclusive of abnormal operation comprising an application failure condition and  
said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity.

5. (Previously Presented) A system according to claim 1, wherein  
said first application and said managing application reside in the same PC and  
said activity indication notifies said managing application of activity by said first application and includes one or more of, (a) a session identifier for identifying a particular user initiated session, (b) a URL to be contacted if said activity notification is not

successful, (c) an identification of a type of event preventing said activity notification from being successful.

6. (Original) A system according to claim 1, wherein  
said communication processor intermittently communicates activity indications to said managing application using a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application.

7. (Original) A system according to claim 1, wherein  
said communication processor communicates to said managing application a request to receive an activity indication associated with said first application and maintained by said managing application, said activity indication indicating time since the last activity update.

8. (Previously Presented) A system according to claim 1, wherein  
individual applications of said plurality of concurrently operating applications independently intermittently communicate an activity indication to said managing application and

    said communication processor communicates with a browser application providing a user interface display permitting user entry of identification information for validation by said entitlement processor.

9. (Original) A system according to claim 1, wherein  
said communication processor communicates a time-out threshold value comprising said timeout window to said managing application.

10. (Previously Presented) A system for use by a managing application supporting concurrent operation of a plurality of Internet compatible applications, comprising:

    an input processor for intermittently receiving activity indications from a plurality of concurrently operating applications, an individual activity indication being generated in response to user action;

    an activity monitor for updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications;

    a comparator for comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated

by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and

a communication processor for communicating notice of said application time-out event to one of said plurality of concurrently operating applications.

11. (Previously Presented) A system according to claim 10, wherein said activity indications received by said input processor are provided in response to a user action and

said user action comprises at least one of, (a) keyboard activity, (b) mouse activity, (c) other data entry device activity and (d) another user initiated PC application operation activity.

12. (Original) A system according to claim 10, wherein an activity status indicator comprises a time indication identifying when activity of a particular application was last reported, and

said time-out threshold comprises a predetermined time duration and said managing application determines said particular application to be inactive if said time indication exceeds said time-out threshold.

13. (Original) A system according to claim 10, wherein said input processor receives activity indications from a plurality of different commands including an activity notification command and a command involving at least one of, (a) determining a user operation session identifier from said managing application and (b) sending a URL to said managing application.

14. (Original) A system according to claim 10, wherein said communication processor communicates notice of said application time-out event to applications of said plurality of concurrently operating applications that have previously requested a notification of session termination.

15. (Original) A system according to claim 10, wherein said communication processor communicates notice of said application time-out event in response to at least one condition of, (a) a received command requesting notification and (b) a received communication from an application session having previously produced a time-out event and (c) automatically upon generation of said time-out event.

16. (Original) A system according to claim 10, wherein said activity indication includes one or more of, (a) an identification of a

particular user initiated session, (b) a URL to be contacted if said activity notification is not successful, (c) an identification of a type of event preventing said activity notification from being successful.

17. (Original) A system according to claim 10, wherein  
said corresponding time-out threshold values comprise a common timeout  
period for said plurality of concurrently operating applications.

18. (Original) A system according to claim 10, wherein  
said comparator uses a predetermined default value for said time-out  
threshold values.

19. (Previously presented) A system supporting concurrent operation of a  
plurality of Internet compatible applications, comprising:

a browser application providing a user interface display permitting user  
entry of identification information and commands for a plurality of Internet compatible  
applications; and

a managing application for receiving activity indications from a plurality of  
concurrently operating applications, an individual activity indication being generated in  
response to user action, said plurality of concurrently operating applications being initiated  
by user commands via said browser user interface, said received activity indications being  
provided by individual applications sufficiently frequently to prevent an inactivity timeout  
of said individual applications and during normal operation of an individual application.

20. (Original) A system according to claim 19, wherein  
said activity indication notification includes one or more of, (a) an  
identification of a particular user initiated session, (b) a URL to be contacted if said activity  
notification is not successful, (c) an identification of a type of event preventing said activity  
notification from being successful.

21. (Original) A system according to claim 19, wherein  
a common timeout period is used as said inactivity timeout for said plurality  
of concurrently operating applications.

22. (Previously presented) In a system supporting concurrent operation of a  
plurality of network compatible applications, a method comprising the activities of:

intermittently receiving activity indications from a plurality of concurrently  
operating applications, an individual activity indication being generated in response to user  
action;

updating individual activity status indicators, corresponding to said plurality of concurrently operating applications, in response to said received activity indications;

comparing individual activity status indicators with corresponding time-out threshold values to identify an application time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and

communicating notice of said application time-out event to one of said plurality of concurrently operating applications.

23. (Previously presented) A method employed by a first application operating in a system supporting concurrent operation of a plurality of network compatible applications, said method comprising the activities of:

enabling user access to a first application of a plurality of concurrently operating applications in response to validation of user identification information; and

supporting intermittent communication by said first application of an activity indication to a managing application within a timeout window, said activity indication notification being generated in response to user action and being communicated sufficiently often to prevent an inactivity timeout of said first application being initiated during normal operation of said first application by said managing application in response to said timeout window being exceeded.

24. (Previously presented) In a system supporting concurrent operation of a plurality of network compatible applications, a method comprising the activities of:

intermittently receiving activity indications from a plurality of concurrently operating applications of a particular operating session of a user, an individual activity indication being generated in response to user action;

updating a single activity status indicator associated with said plurality of concurrently operating applications of said particular operating session, in response to said received activity indications;

comparing said single activity status indicator with a time-out threshold value to identify a time-out event indicated by a status indicator exceeding said time-out threshold and occurring during normal operation of an application; and

re-initializing said plurality of concurrently operating applications in response to said comparison.

**APPENDIX II - EVIDENCE**

Applicant does not rely on any additional evidence other than the arguments submitted hereinabove.

**APPENDIX III - RELATED PROCEEDINGS**

Applicant respectfully submits that there are no proceedings related to this appeal in which any decisions were rendered.

**APPENDIX IV - TABLE OF CASES**

1. *In re Howard*, 394 F. 2d 869, 157 USPQ 615, 616 (CCPA 1968)
2. 29 AM. Jur 2D Evidence S. 33 (1994)
3. *In re Ahlert*, 424 F. 2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970)
4. *In re Eynde*, 480 F. 2d 1364, 1370; 178 USPQ 470, 474 (CCPA 1973)
5. *In re Fine*, 5 USPQ 2d 1600, (Fed Cir. 1988)
6. ACS Hospital Systems Inc v. Montefiore Hospital, 221 USPQ 929,933  
(Fed. Cir. 1984)
7. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (CCPA 1966)
8. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438  
(Fed.Cir. 1988), *cert. denied*, 488 U.S. 825 (1988)
9. *Ashland Oil Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 28, 293, 227 USPQ  
657, 664 (Fed.Cir. 1985), *cert. denied*, 475 U.S. 1017 (1986)
10. *In re Oetiker*, 977 F2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992)

**APPENDIX V - LIST OF REFERENCES**

<u>U.S. Pat. No.</u>	<u>Issued Date</u>	<u>102(e) Date</u>	<u>Inventors</u>
6,178,511 B1	January 23, 2001		Cohen et al.
6,035,404	March 7, 2000		Zhao

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